



The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530

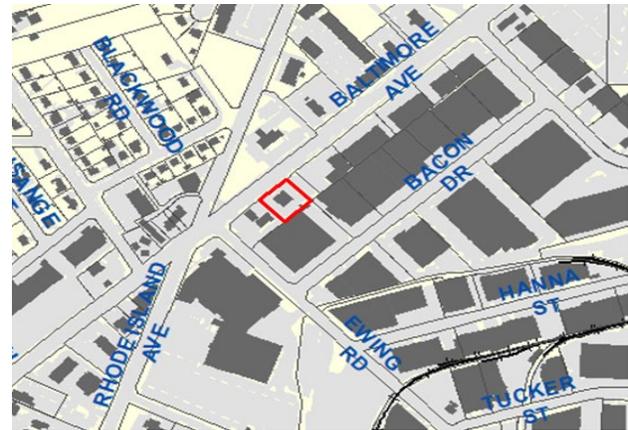
Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

Detailed Site Plan Burger King #1151

DSP-19019

REQUEST	STAFF RECOMMENDATION
Removal of 55 square feet and an addition of 69 square feet, along with façade and signage improvements.	APPROVAL with conditions

Location: On the south side of US 1 (Baltimore Avenue), approximately 210 feet northeast of its intersection with Ewing Road.	
Gross Acreage:	0.52
Zone:	I-1
Dwelling Units:	N/A
Gross Floor Area:	N/A
Planning Area:	61
Council District:	01
Election District:	01
Municipality:	N/A
200-Scale Base Map:	213NE05
Applicant/Address: CARROLS, LLC 968 James Street Syracuse, NY 13203	
Staff Reviewer: Henry Zhang, AICP, LEED AP Phone Number: 301-952-4151 Email: Henry.Zhang@ppd.mncppc.org	



Planning Board Date:	05/14/2020
Planning Board Action Limit:	05/14/2020
Staff Report Date:	04/29/2020
Date Accepted:	03/05/2020
Informational Mailing:	03/01/2019
Acceptance Mailing:	02/11/2020
Sign Posting Deadline:	04/14/2020

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-19019
Burger King #1151

The Urban Design staff has reviewed the detailed site plan for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

EVALUATION CRITERIA

The detailed site plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the Light Industrial (I-1) Zone and the site design guidelines of the Prince George's County Zoning Ordinance;
- b. The requirements of the 2010 *Prince George's County Landscape Manual*;
- c. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- d. The requirements of the Prince George's County Tree Canopy Coverage Ordinance;
- e. Referral comments.

FINDINGS

Based upon the analysis of the subject application, the Urban Design staff recommends that the Planning Board adopt the following findings:

1. **Request:** The subject application is for approval of a detailed site plan (DSP) for a net addition of approximately 14 square feet of gross floor area and renovations to the façade and signage of an existing eating and drinking establishment (Burger King), with drive-through service.

2. Development Data Summary:

	EXISTING	PROPOSED
Zone	I-1	I-1
Use	Eating and Drinking Establishment with Drive-through	Eating and Drinking Establishment with Drive-through
Acreage	0.52	0.52
Total Gross Floor Area (sq. ft.)	2,986	3,000

Parking*

	REQUIRED	PROVIDED
Regular Spaces	23	23
Handicapped Spaces	2	2
Total	25	25

Note: *The existing parking on the site that will not be impacted by this renovation.

3. **Location:** The site is located on the south side of US 1 (Baltimore Avenue), approximately 210 feet northeast of its intersection with Ewing Road, in Planning Area 61 and Council District 1.
4. **Surrounding Uses:** The subject property is bounded to the north by the public right-of-way of US 1, with commercial/retail uses in the Commercial Shopping Center Zone beyond. To the east, west, and south of the site are developed properties in the Light Industrial (I-1) and Heavy Industrial Zones, including warehouses.
5. **Previous Approvals:** The subject 0.52-acre site is known as Parcel T-T, which was originally improved as a Burger King fast-food restaurant with drive-through service circa 1970. The site also has an approved certified nonconforming use (3629-85-CGU). In 2010, Prince George’s County Council Bill CB-19-2010 was adopted and redefined the eating and drinking establishment use, permitting it in the I-1 Zone, among others, subject to DSP review.

The site also has a valid Stormwater Management Concept Plan, 16719-2019-00, that is valid through August 2, 2022.
6. **Design Features:** The application proposes to renovate the existing Burger King, to create a modern and attractive commercial business that satisfies the needs of modern consumers. The proposed renovation includes the removal of 55 square feet and the addition of 69 square feet of gross floor area, for a net addition of 14 square feet, along with façade and signage improvements, which will make this property an attractive modern-looking restaurant. The renovation will use sustainable building materials, utilize environmental site design techniques, where practical, and provide for the continued convenience needs of the surrounding community, while improving the appearance of the existing restaurant.

In addition, the renovation will introduce new Burger King signage, including building-mounted and menu signage, that are within the sign face area limits of the zone. For building-mounted signage, the allowed area is approximately 100 square feet based on the width of the building. The site plan shows that 40 square feet of sign area is provided, in accordance with Section 27-613(c) of the Prince George's County Zoning Ordinance. The freestanding sign, which was built previously and does not meet the required 10-foot setback, has a sign face area of 74.5 square feet that is within the maximum allowed square footage (75 square feet), per Section 27-614(c) of the Zoning Ordinance. A condition has been included in the Recommendation section of this report, requiring the applicant to relocate the freestanding sign 10 feet inside the subject site to meet the setback requirements, prior to certification.

The proposed architectural elevations represent the new generation of Burger King's prototype building, which features a flat roof with prominent tower elements at the main entrance and side windows, and clear anodized metal canopies. The towers are finished with cultured stone veneer, topped by metal coping, and Burger King's signature logo sign on the upper part. A clear anodized metal canopy is also used to shield all windows on three elevations. The elevations are designed in a three-part composition, with a dark-grey painted face brick at the lower part, windows and light-grey cementitious horizontal panels and face brick in the middle part, and a red light band at the top. For the rear elevation, the windows are replaced with two service doors and solid walls. Sconce light fixtures are shown on the side elevations. The renovated elevations are attractive and acceptable.

The DSP does not propose any alterations to the on-site circulation pattern and other existing improvements, other than described above.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the I-1 Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. The existing and proposed use, which is an eating and drinking establishment, with drive-through service, is a permitted use in the I-1 Zone, subject to Footnote 54, in accordance with Section 27-473(b), Table of Uses, of the Zoning Ordinance, as follows:

Subject to Detailed Site Plan approval in accordance with Part 3, Division 9, of this Subtitle. Any fast-food restaurant operating pursuant to an approved Special Exception as of the effective date of CB-49-2005 shall remain valid, be considered a legal use, and shall not be deemed a nonconforming use. Such fast-food restaurants and their underlying special exceptions may be modified pursuant to the existing provisions relating to revisions or amendments to special exceptions generally and fast-food restaurants specifically as they exist in the Zoning Ordinance.

This site has never had any special exception approvals. This DSP has been filed, in accordance with this requirement, to allow for the site improvements.

- b. The subject application is in conformance with the requirements of Section 27-469(b), Landscaping, screening and buffering, of the Zoning Ordinance in the I-1 Zone. The site plan notes that 13 percent (approximately 2,911 square feet) of the net lot area is maintained as green area. The landscape strip adjacent to the public right-of-way of US 1, as required pursuant to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), is not considered part of the required green area. The site plan exceeds the 10 percent requirement of Section 27-473(b). However, the site plan does not illustrate clearly where the green areas are. A condition has been included in the Recommendation section of this report, requiring the applicant to illustrate the green area on the landscape plan, prior to certification.
 - c. **Site Design Guidelines**—Section 27-283 of the Zoning Ordinance provides that a DSP should be designed in accordance with the same design guidelines for a conceptual site plan (referenced in Section 27-274), regarding parking, loading and circulation, lighting, views, green area, site and streetscape amenities, grading, service areas, public spaces, and architecture. Since the subject DSP does not alter any of the site, except for a small addition to the building, the site design guidelines are not triggered.
8. **2010 Prince George's County Landscape Manual:** In accordance with Section 1.1 of the Landscape Manual, the subject project is exempt from the requirements of the Landscape Manual because the increase of gross floor area is less than 10 percent of the total gross floor area, there is no change of use from a lower to higher intensity, and there is no increase in impervious surface. A note to this effect is provided on the site plan.
 9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The property is not subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the entire site contains less than 10,000 square feet of woodlands and does not have a previously approved tree conservation plan. The site has a Natural Resources Inventory Equivalency Letter (NRI-046-2019), which was issued on April 18, 2019. The site also has a Standard Letter of Exemption (S-058-2019) that was issued on April 18, 2019.
 10. **Prince George's County Tree Canopy Coverage Ordinance:** Since this DSP does not propose more than 5,000 square feet or greater of gross floor area or disturbance, this DSP is exempt from the requirements of the Tree Canopy Coverage Ordinance. A note to this effect is provided on the site plan.
 11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
 - a. **Historic Preservation and Archeological Review**—In a memorandum dated March 5, 2020 (Stabler to Bush), incorporated herein by reference, the Historic Preservation Section stated that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. The subject site does not contain or is not adjacent to any Prince George's

County historic sites or resources. This proposal will not impact any historic sites, historic resources, or known archeological sites.

- b. **Community Planning**—In a memorandum dated April 10, 2020 (McCray to Zhang), incorporated herein by reference, the Community Planning Division stated that, pursuant to Part 3, Division 9, Subdivision 3, of the Zoning Ordinance, master plan conformance is not required for this application.
 - c. **Transportation**—In a memorandum dated April 16, 2020 (Hancock to Zhang), incorporated herein by reference, the Transportation Planning Section noted that, given the limited scope of the work proposed in this DSP, the existing on-site circulation will not be impacted. From the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a DSP, as described in the Zoning Ordinance.
 - d. **Trails**—In a memorandum dated April 13, 2020 (Smith to Zhang), the Transportation Planning Section reviewed this DSP for conformance with the applicable pedestrian and bicycle transportation recommendations. The Transportation Planning Section recommended approval of this DSP with one condition, consisting of three sub-conditions, that has been included in the Recommendation section of this report.
 - e. **Environmental Planning**—In a memorandum dated March 27, 2020 (Juba to Bush), incorporated herein by reference, the Environmental Planning Section concluded that this DSP is exempt from the requirements of the WCO and recommended approval of this application.
 - f. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of this writing, staff did not receive any comment regarding the subject project from DPIE.
 - g. **Prince George’s County Police Department**—In a memorandum dated March 17, 2020 (Contic to Planner Coordinator), incorporated herein by reference, the Police Department stated they had no comments on the subject application.
 - h. **Prince George’s County Health Department**—At the time of this writing, staff did not receive any comment regarding the subject project from the Health Department.
 - i. **Maryland State Highway Administration (SHA)**—At the time of this writing, staff did not receive any comment regarding the subject project from SHA.
12. Based on the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, if approved with the recommended conditions, the DSP represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George’s County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

13. The required finding of Section 27-285(b)(4) of the Zoning Ordinance that regulated environmental features are preserved and/or restored to the fullest extent possible need not to be made for the subject application because there are no regulated features on the subject site.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-19019, Burger King #1151, subject to the following condition:

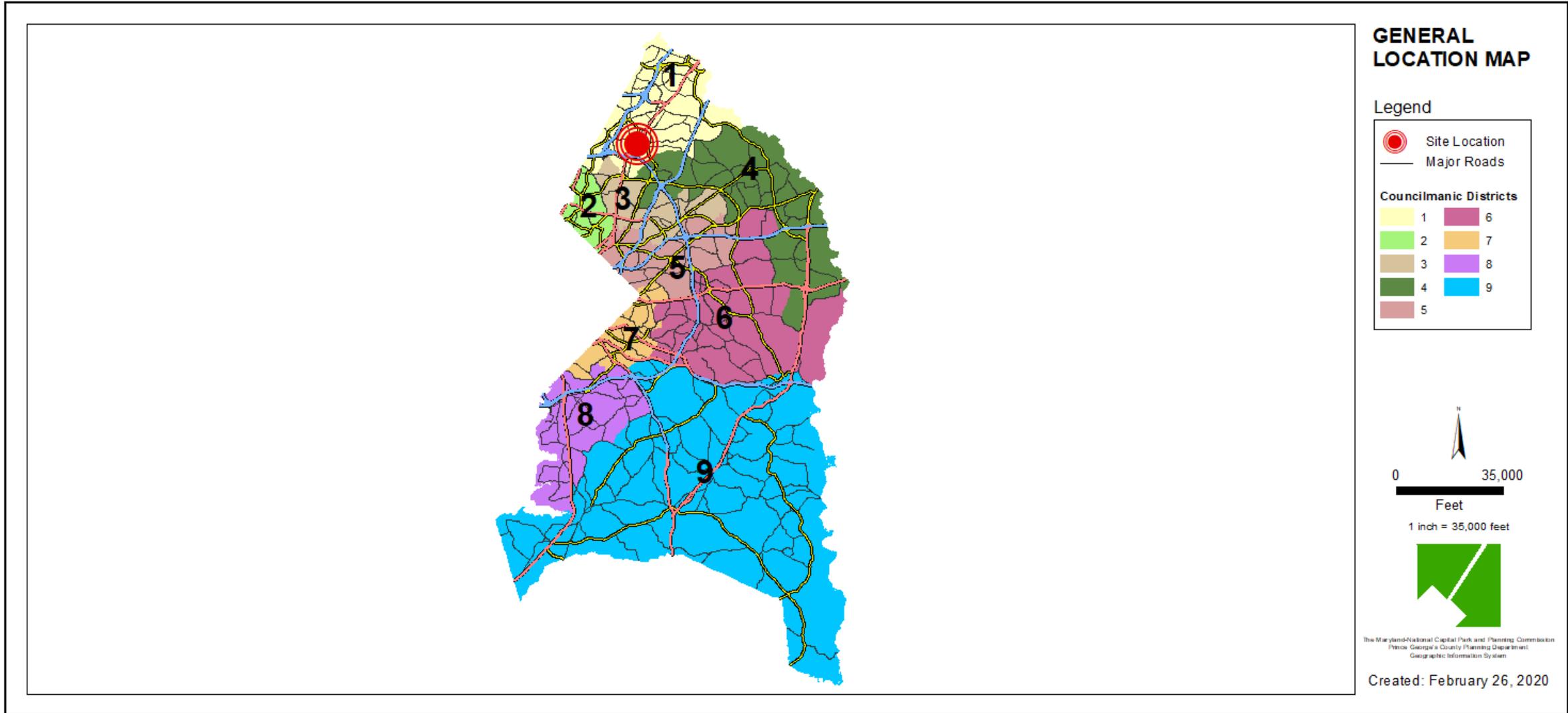
1. Prior to certification, the detailed site plan shall be revised, or information provided, as follows:
 - a. Relocate the freestanding sign 10 feet inside the subject site to meet the setback requirements.
 - b. Clearly illustrate the location and size of the green areas on the landscape plan.
 - c. Provide inverted U-shaped bicycle racks at a location convenient to the building entrance.
 - d. Provide continental-style crosswalks along the subject site's entrance and exit, unless modified by the Maryland State Highway Administration.
 - e. Provide a 5-foot-wide sidewalk connecting the building entrance and the sidewalk along US 1 (Baltimore Avenue).

ITEM: 5

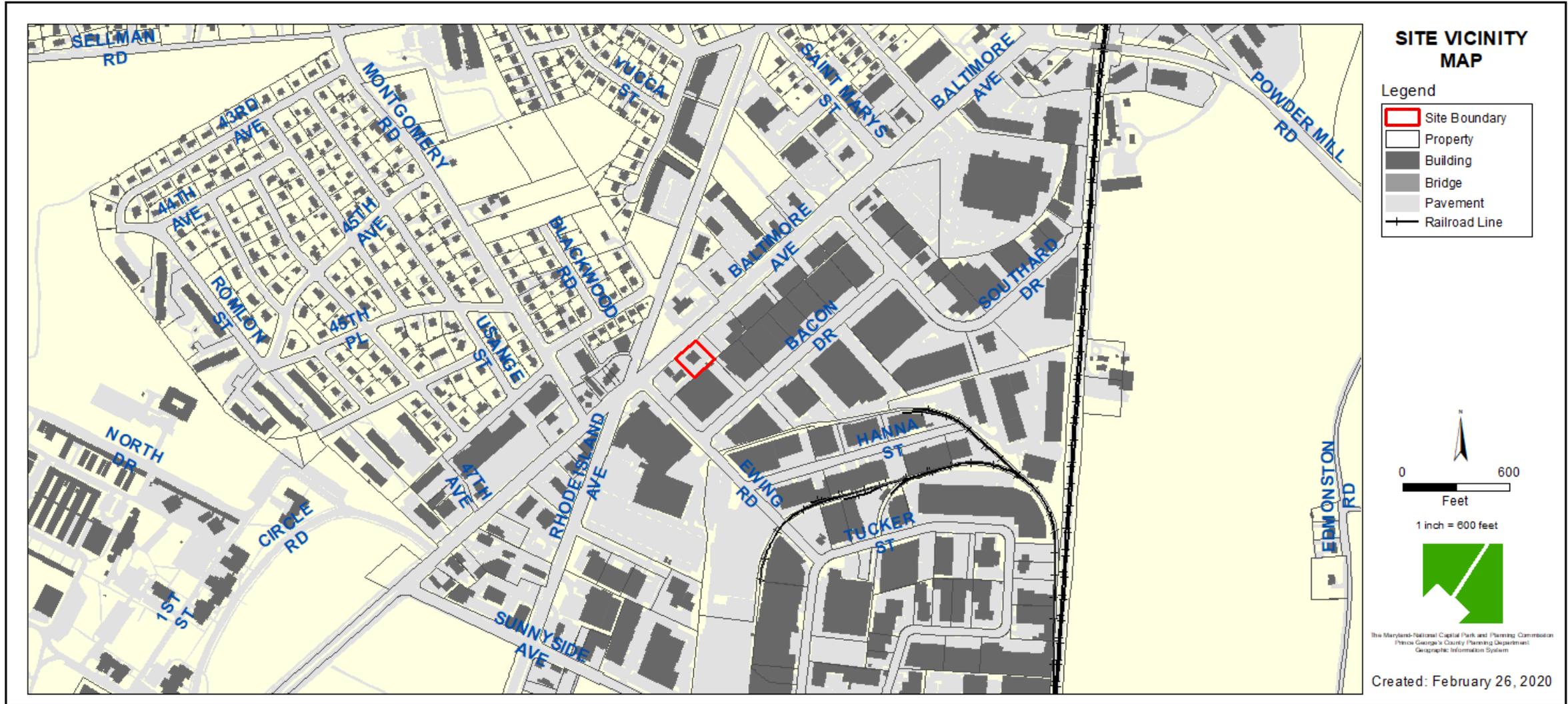
CASE: DSP-19019

BURGER KING #1151

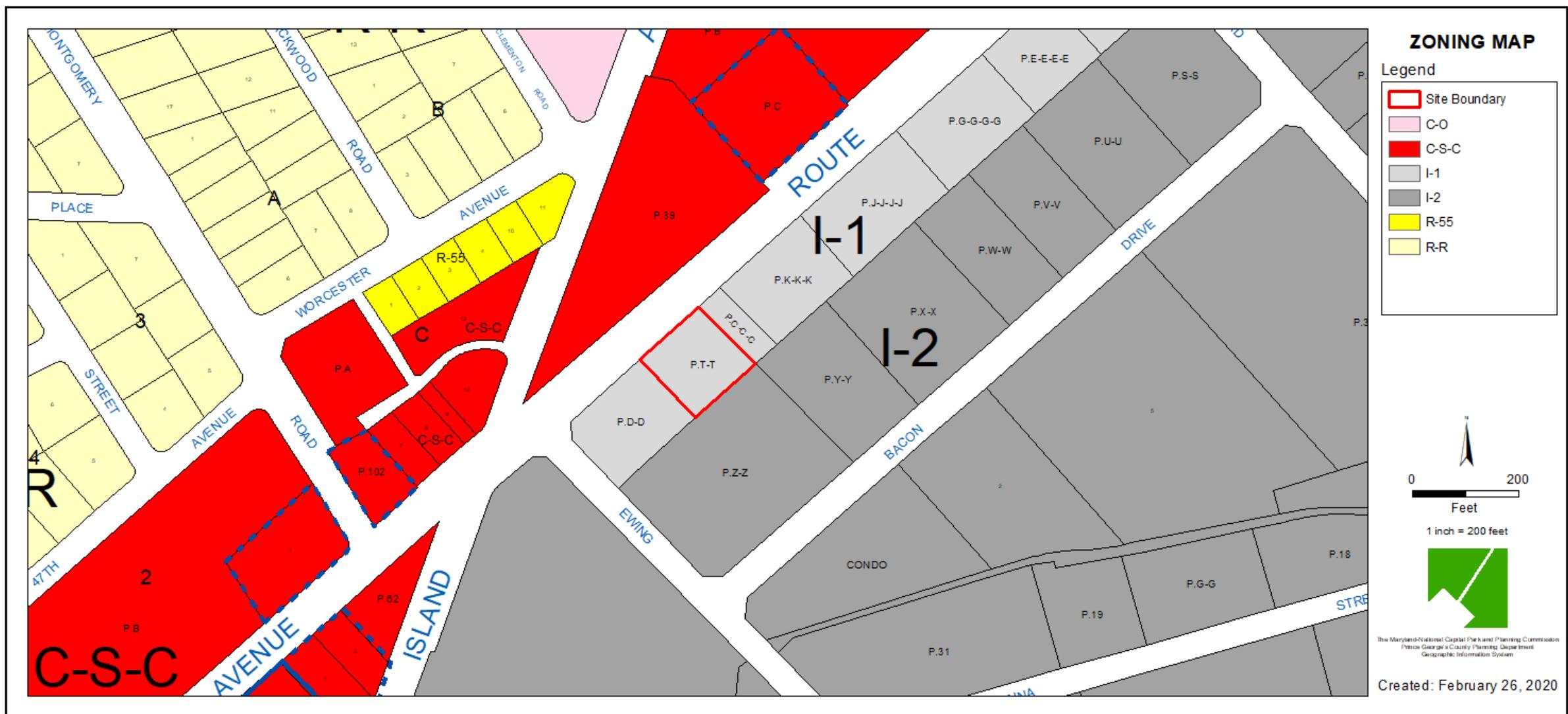
GENERAL LOCATION MAP



SITE VICINITY



ZONING MAP



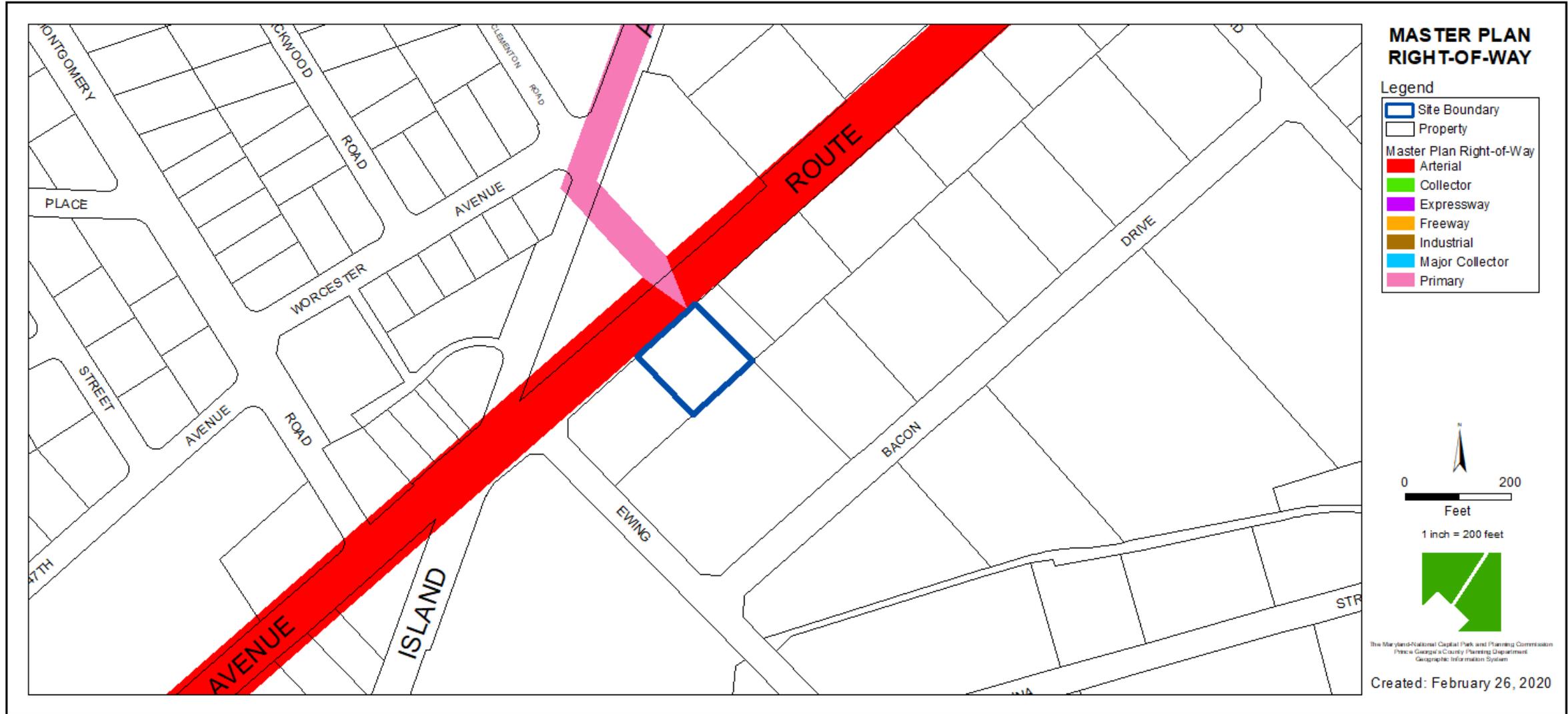
AERIAL MAP



SITE MAP



MASTER PLAN RIGHT-OF-WAY MAP



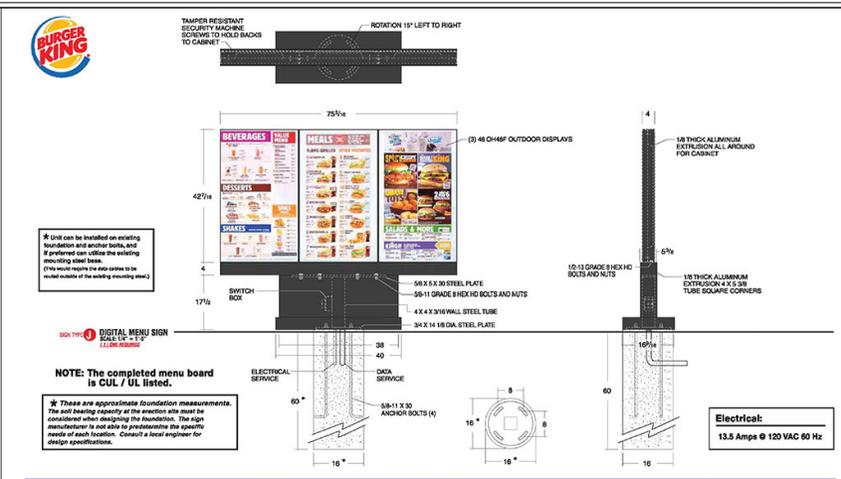
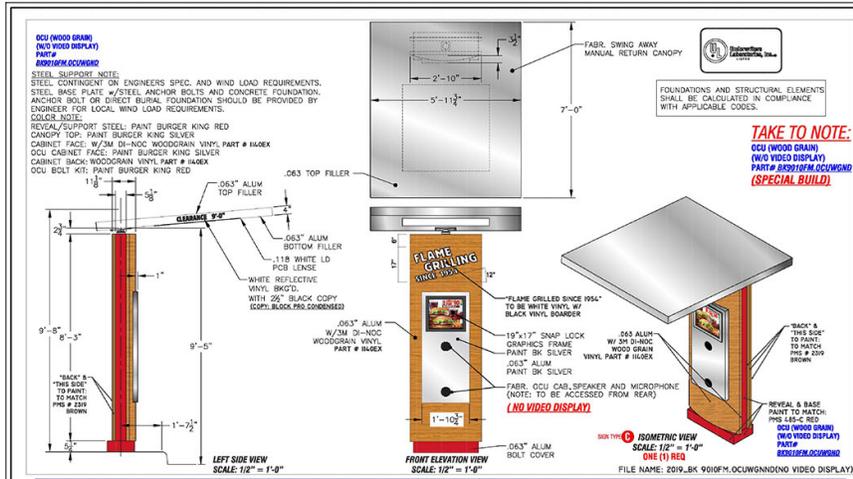
BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



ELEVATIONS



SITE DETAILS

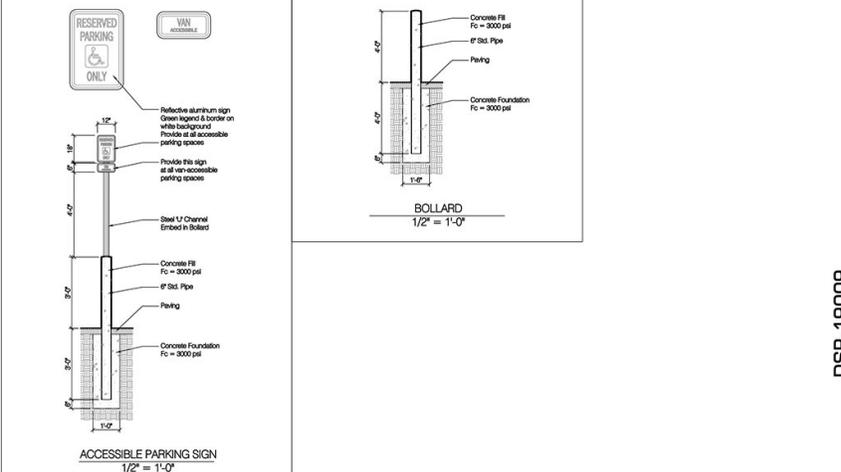
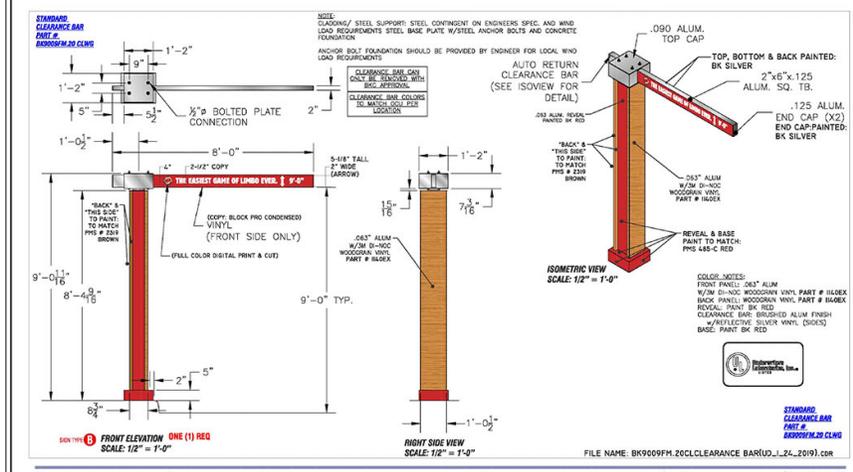


sitedesign

1500 MEDICAL CENTER BLVD., SUITE 400 - LANDOW, MD 20774
PHONE: (301) 943-8000
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FEDERAL HEALTH VISUAL COMMUNICATIONS 12000 Beltsville Drive, Suite 100, Beltsville, MD 20705 301.983.4411 (301) 294-2324 Fax: 301.983.4422	Account by: FIONA PAUL Project Manager: TAMMY TAYLOR Client: JC ROBERGE	Job Number: 23-50544-10 Date: 7.17.18	Project Location: BK # 1151 10825 BALTIMORE AVE. BELTSVILLE, MD 20705	Draw Number: 19 of 19 Design Number: 23-50544-10	Draw Date: 7.17.18	Drawn by: JC ROBERGE	Checked by: JC ROBERGE	Scale: 1/2" = 1'-0"	Date: March 2019
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DSP-19009

DETAILS

BURGER KING #1151
10825 Baltimore Avenue, Beltsville, Maryland 20705

VANSVILLE (14) ELECTION DISTRICT, PRINCE GEORGES COUNTY, MARYLAND

THIS BLOCK IS FOR OFFICIAL USE ONLY	
OFFICER certifies that this sign meets conditions of their approval by the Planning Board in accordance with the design of the District Council.	
M-NCPPC APPROVAL	
PROJECT NAME:	Burger King #1151
PROJECT NUMBER:	DSP-19019
For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet	
Revision numbers must be included in the Project Number	



**STATEMENT OF JUSTIFICATION
DSP-19019
Burger King #1151**

OWNER: TBS Corporation
Carrols Leasing BK 1151
P.O. Box 6969
Syracuse, NY 13217-6969

APPLICANT/
CONTRACT PURCHASER: Carrols LLC
968 James Street
Syracuse, NY 13203

ATTORNEY/AGENT: Matthew C. Tedesco, Esq.
McNamee, Hosea, Jernigan, Kim, Greenan & Lynch, P.A.
6411 Ivy Lane, Suite 200
Greenbelt, Maryland 20770
(301) 441-2420 Voice
(301) 982-9450 Fax

CIVIL ENGINEER: Mark G. L. Ferguson, R.A.
Site Design, Inc./RDA
9500 Medical Center Drive / Arena Drive, Suite 480
Largo, MD 20774

REQUEST: Pursuant to Section 27-285(b), a Detailed Site Plan is being filed to accommodate renovations to the façade and signage for the existing eating and drinking establishment with drive through service (Burger King).

I. DESCRIPTION OF PROPERTY

1. Address – 10625 Baltimore Avenue, Beltsville, Maryland 20705.
2. Use – Existing eating and drinking establishment with drive through service.
3. Incorporated Area – None.
4. Council District – 1st
5. Property – Parcels T-T.
6. Total Area – 0.5158 Acre.
7. Tax Map/Grid – 19/A-3
8. Location – The site is located on the south side of Baltimore Avenue, approximately 210 feet northeast of its intersection with Ewing Road.

9. Zoned: I-1.
10. 200 Sheet – 213NE05.

II. COMMUNITY

The subject property is located in the 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment*. The subject property is surrounded by the following uses:

Northeast: An existing parking lot in the I-1 Zone.

Southeast: An existing gas station in the I-1 Zone.

East: Existing warehouse use in the I-2 Zone.

West: Baltimore Avenue, and beyond an existing bank in the C-S-C Zone.

The character of the community is generally a mix of existing commercial and industrial uses.

III. APPLICANT'S PROPOSAL

The subject property is currently improved with a building, with the original construction being built circa 1970, as a Burger King with drive through service. The existing Burger King restaurant is currently operating on the subject property. The total area of the property is 0.5158 acres, and is known as Parcel T-T. This Detailed Site Plan is being submitted to accommodate renovations to the building façade and signage for the existing eating and drinking establishment with drive through service, as a DSP does not currently exist for the use on this property.

The proposed renovation includes the removal of 55 square feet, but will add a 69 square foot addition, along with proposed façade and signage improvements, which will facilitate the redevelopment of this property with a modern and attractive commercial service business that satisfies the needs of the modern consumer. The development will be attractive; will use sustainable building materials; will utilize environmental site design techniques where practical; will provide for the continued convenience needs of the surrounding community while improving the appearance of the existing restaurant; will continue to create jobs for the local economy; and will increase the County's tax base.

The use (existing and proposed), an eating or drinking establishment, with drive-through service, is a permitted use in the I-1 Zone, subject to footnote 54 in Section 27-473(b). Footnote 54 requires the approval of a detailed site plan in accordance with Part 3, Division 9 of Subtitle 27. That footnote goes on to provide that “[a]ny fast-food restaurant operating pursuant to an approved Special Exception as of the effective date of CB-49-2005 shall remain valid, be considered a legal use, and shall not be deemed a nonconforming use. Such fast-food restaurants and their underlying special exceptions may be modified pursuant to the existing provisions relating to revisions or amendments to special exceptions generally and fast-food restaurants specifically as they exist in the Zoning Ordinance.” However, a special exception was never approved for the existing use, as the same was permitted by right in 1970 when the original Use and Occupancy Permit No. 663-70-U was issued. Subsequently, in 1985, the then applicable Zoning Ordinance permitted a fast-food restaurant with drive through as “all others” under “Eating and Drinking Establishments” in the I-1 Zone subject to a special exception. Consequently, and in order to accommodate certain improvements to the existing use and building, a certified nonconforming use was

approved (to wit: 3629-85-CGU). This facilitated the improvements without the need to obtain a special exception. On June 8, 2010, however, the District Council adopted CB-19-2010 for the purpose of making clarifying amendments and revisions to the requirements for eating and drinking establishments, including redefining the use by deleting the distinction of a separate use for “fast-food restaurants.” In redefining eating and drinking establishments, CB-19-2010 also amended Section 27-473(b) by removing the requirement that this use obtain a special exception in the I-1 Zone; instead, the use became permitted (once again), but required the approval of a detailed site plan. Simply stated, the Burger King on the subject property was never required to obtain a special exception because in 1970, the use was permitted by right in the I-1 Zone (i.e., Permit No. 663-70-U), and when the use triggered the need for a special exception, it was able to be certified as a nonconforming use (to wit: Permit No. 3629-85-CGU). On June 8, 2010, the law changed again to permit the use subject to a DSP. Thus, and since a special exception does not exist which would have allowed the applicant to accommodate the now desired revisions through an ROSP application vis-à-vis Footnote 54, the applicant has filed DSP-19019 in order to accommodate the improvements proposed. Based on the foregoing, and upon the approval of DSP-19019, CNU 3629-85-CGU will become moot.

Design Features

The site plan proposes two points of vehicular access; a one-way in driveway to the west, and a one-way out driveway to the east along the frontage of Baltimore Avenue (U.S. Route 1). Driveway access points exist to connect on the northeast side of the property to access the existing parking lot. The adjacent property is not required for the existing/proposed use, and is excluded from the DSP area. The circulation of the eating and drinking establishment with drive through service will function along the same existing route, but will be improved with a new concrete paved drive-through lane. The façade of the existing building will be updated. The existing brick will be painted a dark brown below the window sill and tan above the window sill. An accent parapet band of red tops the walls, and panels of stone veneer are located at the restaurant entrance and drive-through windows. See Exterior Elevation Sheets A-2.0 for details. The existing surface parking will remain at the perimeter of the building to ensure safe and efficient on-site circulation, separate from the drive through circulation.

IV. CRITERIA FOR APPROVAL

General Criteria for DSP Approval

Section 27-285. Planning Board Procedures.

(b) Required findings.

- (1) The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use;**

COMMENT: The plan does represent a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development.

- (2) The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required).**

COMMENT: A conceptual site plan is not required for this development proposal.

- (3) The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.**

COMMENT: DSP-19019 is not a DSP for infrastructure, this finding does not apply.

- (4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

COMMENT: Natural Resources Inventory Equivalency Letter NRI-0452019 was approved for this property on April 18, 2019. The approval confirms that there are no regulated environmental features present on-site. Woodland Conservation Letter of Exemption S-058-2019 was approved for this property on April 18, 2019. The approval confirms that the site is less than 40,000 square feet in size, and qualifies for a standard exemption from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance. DSP-19019 is exempt from the provisions of the Tree Canopy Coverage Ordinance per Subtitle 25-127(a).

The existing building was constructed circa 1970. The parking and loading requirements are subject to the regulations that were applicable at the time of construction. The 1970 zoning ordinance for the parking and loading for an eating and drinking establishment have been met. See the Parking and Loading Schedule on the detailed site plan. DSP-19019 is exempt from the 2010 *Prince George's County Landscape Manual* (Landscape Manual) sections 4.2, 4.3, 4.6, 4.7, 4.8, and 4.9 per Sections 1.1(d), 1.1(f)(1), 1.1(g)(1), and 1.1(i)(1).

I-1 ZONE REQUIREMENTS

The renovated eating and drinking establishment with drive-through service is a permitted use in the I-1 Zone, subject to a detailed site plan review. DSP-19019 is filed in conformance with the detailed site plan requirement. Since detailed site plan does not currently exist on this property, there are no prior approvals or conditions to consider.

V. CONCLUSION

Based on the foregoing, as well as the detailed site plan filed in conjunction with this application, the applicant respectfully requests the approval of DSP-19019 for the renovations to the façade and signage for the existing eating and drinking establishment with drive through service. This application and the requests herein are consistent with the goals of both the Master Plan, and as such, must be approved.

Respectfully submitted,

MCNAMEE HOSEA

By: _____
Matthew C. Tedesco, Esq.

Date: February 3, 2020

March 27, 2020

MEMORANDUM

TO: Jonathan Bush, Planner Coordinator, Urban Design Section, DRD

VIA: Megan Reiser, Acting Supervisor, Environmental Planning Section, CWPD

FROM: Marc Juba, Planner Coordinator, Environmental Planning Section, CWPD

SUBJECT: Burger King #1151; Detailed Site Plan, DSP-19019

The Environmental Planning Section (EPS) has reviewed Detailed Site Plan DSP-19019, received by the Countywide Planning Division on March 5, 2020. The Environmental Planning Section recommends approval of the application with no conditions.

The site has a Natural Resources Inventory Equivalency Letter (NRI-046-2019) which was issued on April 18, 2019. The EPS also previously issued a Standard Letter of Exemption (S-058-2019) from Subtitle 25, Woodland and Wildlife Habitat Conservation Ordinance (WCO) that was issued on April 18, 2019.

The site is fully developed with an existing building and parking lot. No woodlands exist on-site. No Regulated Environmental Features (REF) are located on this site. This site is not located within a Sensitive Species Protection Review Area (SSPRA) based on a review of the SSPRA GIS layer prepared by the Maryland Department of Natural Resources Natural Heritage Program (DNR HNP).

According to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), the site is entirely situated on Urban land-Russett-Christiana complex (0-5% slopes). Unsafe soils containing Christiana complexes are found on-site; however, no areas of existing steep slopes of 15% or greater are associated with these soils. Christiana complexes are considered unsafe soils that exhibit shrink/swell characteristics during rain events, which make it unstable for structures. However, there are no slopes of significant concern identified within the area of this soil type. No Marlboro clays are known to be associated with this site. A geotechnical review was not requested with this application. No further action is needed as it relates to this application. The County may require a soils report in conformance with CB-94-2004 during future phases of development.

The site has an approved Stormwater Management Concept Plan #16719-2019-00 that is in conformance with the current code, which is valid until April 2, 2022.

The Environmental Planning Section recommends approval of this application.

Countywide Planning Division
Historic Preservation Section

301-952-3680

March 5, 2020

MEMORANDUM

TO: Jonathan Bush, Senior Planner, Urban Design Section, DRD

VIA: Howard Berger, Supervisor, Historic Preservation Section, CWPD *HB*

FROM: Jennifer Stabler, Master Planner, Historic Preservation Section, CWPD *JS*
Tyler Smith, Senior Planner, Historic Preservation Section, CWPD *TAS*

SUBJECT: DSP-19019 Burger King #1151

The subject property comprises 0.52 acres located at 10625 Baltimore Avenue in Beltsville on the southside of Baltimore Avenue, approximately 210 feet northeast of its intersection with Ewing Road. The subject application proposes the removal of 55 square feet and an addition of 69 square feet along with façade and signage improvements. The subject property is Zoned I-1.

A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any Prince George's County Historic Sites or resources. This proposal will not impact any historic sites, historic resources or known archeological sites. A Phase I archeology survey is not recommended. Historic Preservation Section staff recommend approval of DSP-19019 Burger King #1151 with no conditions.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
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Countywide Planning Division
Transportation Planning Section

301-952-3680

April 16, 2020

MEMORANDUM

TO: Henry Zhang, Urban Design Review Section, Development Review Division

VIA: Tom Masog, Transportation Planning Section, Countywide Planning Division

FROM: Crystal Saunders Hancock, Transportation Planning Section, Countywide Planning Division

SUBJECT: DSP-19019 Burger King

Proposal

The applicant is proposing the removal of 55 square-feet of concrete and the addition of 69 square-feet of concrete in conjunction with renovations to the facade and signage to the existing establishment. A drive-through window currently exists on site.

Background

The subject property, located within the I-1 Zone was originally constructed in 1970 and its use is permitted by right. The detailed site plan (DSP) is being submitted to accommodate renovations to the building as one does not currently exist for the use on this property. As such, a trip cap was not established for this subject property.

Analysis

The application is requesting minor changes to the building facade and signage with minimal impacts to access, circulation and traffic. There are three points of access – one ingress and one egress onto Baltimore Avenue (US 1), and an inter-parcel connection with the neighboring parcel. No changes to access are proposed. The existing surface parking will remain at the perimeter of the building to ensure safe and efficient on-site circulation, separate from the drive through circulation. New concrete is proposed for the drive through lane and it will maintain the same routing. Moreover, this proposal creates no specific issues that trigger additional discussion and the items in the of the DSP are acceptable.

Conclusion

From the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a detailed site plan as described in the Zoning Ordinance.

April 13, 2020

MEMORANDUM

TO: Henry Zhang, Urban Design Section, Development Review Division

VIA: Bryan Barnett-Woods, Transportation Planning Section, Countywide Planning Division

FROM: Noelle Smith, Transportation Planning Section, Countywide Planning Division

SUBJECT: Detailed Site Plan Review for Pedestrian and Bicyclist Transportation Master Plan Compliance

The following detailed site plan (DSP) was reviewed for conformance with the *Approved Countywide Master Plan of Transportation (MPOT)* and the *2010 Approved Master Plan and Sectional Map Amendment for Subregion 1* (area master plan) to provide the appropriate pedestrian and bicycle transportation recommendations.

Detailed Site Plan Number: DSP-19019

Development Case Name: Burger King

Type of Master Plan Bikeway or Trail

Private R.O.W.	_____	Public Use Trail Easement	_____
County R.O.W.	_____	Nature Trails	_____
SHA R.O.W.	_____	M-NCPPC - Parks	_____
HOA	_____	Bicycle Parking	X
Sidewalks	X	Trail Access	_____
Add'l Connections	_____	Bike Signage Fee	_____

Development Case Background	
Building Square Footage (non-residential)	55 sq. ft. (removal), 69 sq. ft. (addition)
Number of Units (residential)	n/a
Abutting Roadways	US Route 1
Abutting or Nearby Master Plan Roadways	P-104
Abutting or Nearby Master Plan Trails	Bike lane along US Route 1 (planned)
Proposed Use(s)	Fast food w/ drive-thru
Zoning	I-1
Centers and/or Corridors	US 1 Corridor
Prior Approvals on Subject Site	n/a

Subject to 24-124.01:	No
Bicycle and Pedestrian Impact Statement Scope Meeting Date	n/a

Previous Conditions of Approval

There are no prior approvals applicable to the subject site.

Review of Proposed On-Site Improvements

The submitted plans include a four-foot wide sidewalk connection from the existing sidewalk along US Route 1 to the building entrance.

Review of Connectivity to Adjacent/Nearby Properties

The subject site is adjacent to additional industrial zones and commercial spaces connected via sidewalk along US Route 1.

Review of Master Plan of Transportation Compliance

One master plan trail facility impacts the subject site; a planned sidepath along the west side of US Route 1. The Complete Streets element of the MPOT reinforces the need for multimodal transportation and includes the following policies regarding the accommodation of pedestrians and bicyclists (MPOT, p. 9-10):

Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

Comment: The submitted plans include the existing five-foot wide sidewalk along the site's frontage of US Route 1, which fulfill the intent of Policy 2. The applicant has proposed an additional four-foot wide sidewalk connecting the US Route 1 sidewalk with the building entrance. Staff recommend that the applicant provide a standard five-foot wide sidewalk to meet American with Disabilities Act (ADA) standards. Designated space for bicycle parking that is convenient to the building entrance is an important component of a bicycle-friendly network. Staff recommend the installation of Inverted U-shaped bicycle racks to fulfill the intent of Policy 4.

Review of Area Master Plan Compliance

The 2010 *Approved Master Plan and Sectional Map Amendment for Subregion 1* (area master plan) include one master plan trail facility that impacts the subject site; a planned bike lane along US Route 1. The area master plan also include the following recommendation related to pedestrian and bicycle transportation applicable to the subject site:

Policy 5: Provide comprehensive pedestrian and bicycle facilities along US 1 and improve pedestrian safety.

Comment: The submitted plans include the existing sidewalk network along US Route 1. Staff recommend continental style crosswalks be striped along the subject site's entrance and exit. While the site's frontage along US Route 1 may be too short for a striped bicycle lane, the right-of-way at the subject site has already been dedicated and the full extent of the bicycle lane can be constructed by the State Highway Administration (SHA) as part of a future roadway maintenance project.

Recommended Conditions of Approval

1. Prior to certification, the applicant and the applicant's heirs, successors, and/or assignees shall revise the site plan to provide the following:
 - a. Inverted U-shaped bicycle racks at a location convenient to the building entrance, per the Master Plan of Transportation.
 - b. Continental style crosswalks along the subject site's entrance and exit, per the Area Master Plan, unless modified by the Maryland Department of Transportation, State Highway Administration with written correspondence.
 - c. A five-foot wide sidewalk connecting the building entrance and the sidewalk along US Route 1.



**INTER-OFFICE MEMORANDUM
PRINCE GEORGE'S COUNTY
POLICE DEPARTMENT**



MEMORANDUM

DATE: March 17, 2020
TO: Planning Coordinator, Urban Design Application Section
Development Review Division
FROM: Captain Wendy Contic, Assistant Commander, Planning & Research Division
SUBJECT: DSP-19019 Burger King

Upon review of these site plans, there are no comments at this time.

Additional Back-up

For

**DSP-19019
Burger King #1151**

**Burger King #1151
DSP-19019**

* * * * *

Applicant's Proposed Amended Condition:

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-19019, Burger King #1151, subject to the following condition:

1. Prior to certification, the detailed site plan shall be revised, or information provided, as follows:

* * * * *

- c. Provide one inverted U-shaped bicycle racks at a location convenient to the building entrance.

* * * * *

KEY:

~~Strikethrough~~ indicates language deleted from findings/conditions.

Underline indicates language added to findings/conditions

Asterisks *** indicate intervening existing findings/conditions that remain unchanged.